

Amendments to the Drawings

The attached two sheets of drawings includes changes to Figures 3f – 3j. These sheets, which include Figures 3f, 3g, 3h, 3i, 3j, 6a, 6b, 6c, 6d and 6e, replace the original sheet five of fifteen and sheet six of fifteen that included these figures. In Figures 3f -3j, element number “255” is changed to “255a” to reflect that layer 255 in figure 3e was patterned to become anchor 255a in via 245.

Attachment: 2 Replacement Sheets

2 Annotated Sheets Showing Changes

Remarks

In the Office Action mailed November 18, 2004, the Examiner made an objection to the specification, rejected claims 1 – 9 under 35 U.S.C. § 102 and 103 and objected to claims 10-15 for lack of supporting, independent base claim.

In response to the objection to the specification, Applicants submit herewith amended figures 3f- 3j and amended paragraph [0082]. These amended drawings along with amended paragraph [0082] clarify that the titanium and gold layer 255 is patterned at step (f) and what remains in via 245 is the anchor that was previously described as 260. Accordingly applicants have changed the numbering in paragraph [0082] and in FIGS. 3f-j to better explain that the remaining portion of layer 255 located in via 245 in Figures 3f-3j is actually the anchor 255a which was described in the original specification as anchor 260.

In response to the rejection of claims 1-9, and without acquiescing to the rejections of the Examiner, applicants have cancelled claims 1-9. Claims 10-15 have been amended and claim 16 has been inserted in an effort to more definitely and distinctly define the subject matter that Applicants regard as the invention. Claim 16 is supported in the original specification and claims, particularly in figures 1, 2c and 2d and in paragraphs [0010], [0013], [0035] and [0045]; therefore these amendments are made without introducing new matter. It is respectfully submitted that the amended claim 10 defines subject matter that is patentable over all of the art that has been cited within this application. Moreover, it is respectfully submitted that none of the prior art references that have been cited to date, whether taken alone or in combination, teach or suggest a metal beam that is electrically insulated from the bottom electrode so as to permit application of a voltage between the electrode and the metal beam.

Turning to the objection of claims 10-15 as being dependent on a rejected base claim, Applicants have amended dependent claim 10 to include all the limitations of claim 1 as well as the limitations of claim 10. It is respectfully submitted that claims 11-15, now depending from claim 10, are therefore patentably distinct from the cited prior art for the same reasons applicable to claim 10.

Applicants respectfully submit that this application is now in condition for allowance, and requests favorable action by the Examiner. Applicants invite the Examiner to telephone the undersigned representative if the Examiner believes that a telephonic interview would advance this case to allowance, or if any clarifications are necessary. The Commissioner is hereby authorized to charge any additional fees that may be required, or credit any overpayment to Deposit Account No. 50-0639.

Respectfully submitted,

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